Docket No.: 03-205

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

IN SITU IMPLANT AND METHOD OF FORMING SAME

and which is described and claimed:

X in the attached application including specification and claims if this line is marked, or

_____ in the original specification and claims filed on _____ as U.S. Patent Application Number _____ or PCT International Application Number _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this declaration.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

NONE

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the

claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NONE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint David B. Bonham (34,297), Stuart H. Mayer (35,277), Karin L. Williams (36,721), Michael P. Fortkort (35,141), Mark K. Young (38,666), Heather L. Mansfield (39,157), and Keum J. Park (Reg. No. 42,059) whose post office address is: Mayer Fortkort & Williams, PC, 251 North Avenue West, 2nd Floor, Westfield, New Jersey 07090, or their duly appointed associate, my attorneys or agents with full powers of substitution and revocation, to prosecute this application, and to transact all business in the U.S. Patent and Trademark Office in connection therewith.

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SIGNATURE PAGE

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2. Full name of second joint inventor : Cliff Liu

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